

## EXHIBIT A

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

L. G. PHILIPS LCD CO., LTD., :  
:  
Plaintiff, :  
: Civil Action No.  
v. : 04-343-JJF  
:  
TATUNG CO.; TATUNG COMPANY OF :  
AMERICA, INC.; and VIEWSONIC :  
CORPORATION, :  
:  
Defendants. :  
:

Teleconference proceedings in the  
above-captioned matter, before Adam D. Miller,  
Registered Professional Reporter and Certified  
Shorthand Reporter, on Thursday, June 28, 2007,  
beginning at approximately 3:18 p.m.

BEFORE: VINCENT J. POPPITI, SPECIAL MASTER

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Page 6	Page 8
<p>1 to -- assuming that the claim constructions ultimately  2 used in the case are those that are in the  3 recommendations, which we'll obviously all expect is  4 likely to be the case -- but that would reduce,  5 significantly, I think, the number of discovery  6 requests that would be at issue for consideration with  7 the Court.</p> <p>8 SPECIAL MASTER POPPITI: Okay.</p> <p>9 Mr. Christenson?</p> <p>10 MR. CHRISTENSON: Yes. Thank you, Your  11 Honor. Cass Christenson on behalf of LPL.</p> <p>12 The representations that are summarized in  13 Viewsonic's June 25th letter really reflect, I think,  14 some misconceptions and/or incorrect assumptions about  15 both the invention that's at issue and also LPL's  16 business, which impacts what LPL does and what  17 documents it does and does not have. So I can address  18 those issues as I discuss the representations that were  19 proposed by Viewsonic.</p> <p>20 The first representation that Viewsonic  21 requests is that LPL's LCD modules for desktop computer  22 monitors and televisions are, quote flat-panel display  23 devices, end quote, as that term is presently  24 construed.</p>	<p>1 are used to attach some component other than a housing  2 to the back of the module. In many cases that could be  3 a frame that the OEM maker attaches to the back of the  4 module. It could be a heat shield. It could be a  5 number of different things. And those different things  6 may then -- may or may not then be attached to a  7 housing.</p> <p>8 So whether the module is used as a  9 flat-panel display device or whether the module is used  10 as a part of a flat-panel display device really depends  11 on how the purchaser of that module uses the module in  12 the finished product. And as a result of that, we are  13 not in a position to state affirmatively which of our  14 modules have been used as flat-panel display devices or  15 to what extent.</p> <p>16 And, as a result of that, we really are not  17 in a position to provide discovery that addresses any  18 of the issues that Viewsonic refers to in its papers;  19 for example, the commercial success of the invention.  20 Our modules and documents about our modules would not  21 show anyone the extent to which those modules are used  22 down the road to practice our invention or not.</p> <p>23 MR. MILLER: Your Honor, this is Scott  24 Miller. May I respond?</p>
Page 7	Page 9
<p>1 And the problem with that proposed  2 representation is that LPL -- whether LPL makes  3 flat-panel display devices or whether LPL's modules are  4 used as flat-panel display devices for purposes of  5 these claims and the Court's constructions really  6 depends on what third-party OEM set makers do with  7 those modules. And I'll explain why.</p> <p>8 The constructions of the claims made clear  9 that the invention addresses the assembly of a  10 flat-panel display device attached at the rear surface  11 of a first frame to a housing. And the flat-panel  12 display device, that the first -- the frame at the back  13 of the flat-panel display device is typically a  14 separate frame that is added by the OEM set maker to  15 LPL's module after LPL's module would be sold and  16 shipped.</p> <p>17 And, really, LPL doesn't know what the set  18 makers that buy its modules do to mount those modules  19 into a housing. LPL doesn't know of instances where  20 those modules are directly attached to a housing at the  21 back of the module itself. And LPL doesn't intend  22 specifically for that to happen.</p> <p>23 LPL, in some cases, has certain holes at  24 the back of the module. And, typically, those holes</p>	<p>1 SPECIAL MASTER POPPITI: Yes, please.  2 MR. MILLER: Well, I think that  3 Mr. Christenson's arguments just ignore what I believe  4 is the construction the Court has recommended be  5 adopted for "flat-panel display device."  6 As I understand the construction, it talks  7 about a display device having a flat-display panel  8 sandwiched by the first and second frames. And the  9 first and second frames are defined as the structure at  10 the back of the flat-panel display device put together  11 where the second frame structure sandwiches at least  12 the flat-display panel. And the second frame's  13 definition's been familiar to first frame, just using  14 the first frame in conjunction with the second frame  15 structure.</p> <p>16 SPECIAL MASTER POPPITI: That's correct.  17 MR. MILLER: I don't believe that there's  18 anything about the LCD module that LPL makes that isn't  19 exactly in conformance with the general structure  20 identified in Figure 4C of the patents and the  21 Component 16, which the patent identifies as the second  22 frame; Component 12, which the patent identifies as the  23 flat-display panel; and Component 14G, which the patent  24 identifies as the first frame.</p>

<p style="text-align: center;">Page 10</p> <p>1        And I think it is just -- you know, defies    2 logic, in my view, to argue that a module made by LPL    3 is not a flat-panel display device. But if that's the    4 position they're going to assert in this case, it is --    5 it certainly crystallizes why the discovery relating to    6 their products is critical in the matter; because the    7 products that Viewsonic sells that are accused of    8 infringement use LCD modules.</p> <p>9        And if that's a noninfringing component on    10 the product, we're entitled to be able to show the jury    11 exactly what it is about LPL products they contend is    12 not a flat-panel display device when deciding the    13 issues of infringement and why suddenly it becomes a    14 flat-panel display device when it somehow has a bracket    15 attached to it in some fashion.</p> <p>16        And that also directly impacts the scope of    17 the prior art that the experts would have to analyze    18        So I think that this whole idea that a    19 flat-panel display device is not an LCD module is    20 just -- you know, I don't understand how it exists    21 under the construction that the Court has articulated.</p> <p>22        SPECIAL MASTER POPPITI: Well, I -- and    23 it's not for me to try to understand how it exists or    24 whether it doesn't exist. But you have correctly</p>	<p style="text-align: center;">Page 12</p> <p>1        the module should be equated with the flat-panel    2 display device. And that's simply not the case. And    3 that's not your construction, nor is that what the    4 patent says.</p> <p>5        MR. MILLER: Your Honor, this is Scott    6 Miller. Two quick things. I don't think that adding a    7 bracket to the back of a flat-panel display device as    8 defined in Figure 4C changes the character of whether    9 or not the LCD module is a flat-panel display device.    10 And we can argue at some point in time -- and I know    11 you don't want to hear the argument today -- about    12 whether adding a further bracket to the back of element    13 14G in Figure 4C of the patents constitutes a new first    14 frame and obliterates 14G from being the first frame.    15 But it doesn't impact in any fashion the representation    16 that we're seeking, which is that the LCD modules they    17 make are flat-panel display devices as the term is    18 construed by the Court.</p> <p>19        And those modules are flat-panel display    20 devices we believe. And we believe -- I think    21 Mr. Christenson just acknowledged they are. And, as a    22 result, I don't know -- I'm not sure why we can't have    23 the representation so that we can reduce the discovery    24 burden on the parties going forward on these issues.</p>
<p style="text-align: center;">Page 11</p> <p>1        described what the claim construction did, what it    2 was -- what it intended to do.</p> <p>3        And, Mr. Christenson, I want to know why    4 you think that Mr. Miller's analysis isn't absolutely,    5 absolutely correct.</p> <p>6        MR. CHRISTENSON: Your Honor, I think    7 Mr. Miller may have misunderstood what I was saying. I    8 wasn't not suggesting that the module could not be a    9 flat-panel display device under the construction. What    10 I was suggesting was, it would depend -- whether    11 that -- whether the module is a flat-panel display    12 device under the construction -- i.e., a device that    13 is, that could be attached at the rear surface of the    14 first frame to a housing -- depends on whether that    15 module is combined with another first -- with a first    16 frame in addition to the back surface of the module and    17 then attached to a housing.</p> <p>18        If that happens, then the module itself is</p>	<p style="text-align: center;">Page 13</p> <p>1        MR. AMBROZY: Your Honor, it's Rel    2 Ambrozy --</p> <p>3        SPECIAL MASTER POPPITI: Mr. Christenson,    4 you did clarify what you intended to say; and you did    5 make a concession, did you not?</p> <p>6        MR. CHRISTENSON: Your Honor --</p> <p>7        SPECIAL MASTER POPPITI: I think what    8 you're saying is your concession isn't as broad as the    9 request for a representation; correct?</p> <p>10        MR. CHRISTENSON: Correct, Your Honor. My    11 statement was simply that the module could be used as a    12 flat-panel display device. But whether, whether that    13 is how it is used or not by an OEM depends on what the    14 OEM does.</p> <p>15        And Mr. Miller uses the term "bracket" and    16 I use the term "first frame" to describe what in many    17 cases happens when the OEM maker takes the module; in    18 many cases there is a first frame added to the module,</p>
<p>19 not the device, the flat-panel display device, because    20 there is that separate first frame that sandwiches that    21 module; all of which is completely consistent with the    22 construction that you gave.</p> <p>23        As I understand what Mr. Miller's    24 suggesting, it seems to sound like he's suggesting that</p>	<p>19 and then that is attached to the housing. And that    20 clearly practices our invention under the claim    21 construction and under the scope of the patent claims</p> <p>22        MR. AMBROZY: Your Honor, it's Rel Ambrozy.    23 I think the one limitation you also have to look at,    24 you cannot just look at the one flat-panel display</p>

## **EXHIBIT B**

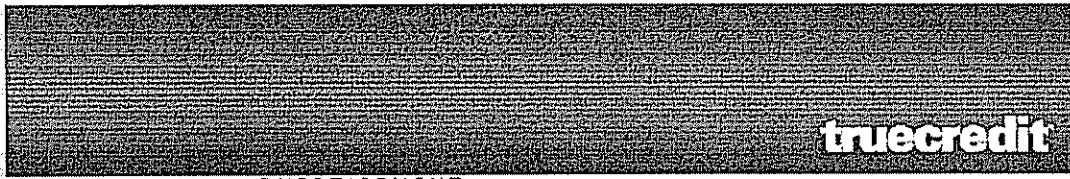
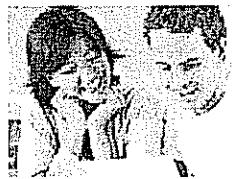
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*www.picks-finder.com**Dictionary.com Unabridged (v 1.1) - Cite This Source*[sand·wich](#)   [sand-wich, san-] Pronunciation Key - Show IPA[Pronunciation](#)[-noun](#)

1. two or more slices of bread or the like with a layer of meat, fish, cheese, etc., between each pair.
2. [OPEN SANDWICH](#).
3. something resembling or suggesting a sandwich, as something in horizontal layers: *a plywood sandwich*.

[-verb \(used with object\)](#)

4. to put into a sandwich.
5. to insert between two other things: *to sandwich an appointment between two board meetings*.

[Origin: 1755-65; named after the fourth Earl of *Sandwich* (1718-92)]*Dictionary.com Unabridged (v 1.1)*

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*Dictionary.com Unabridged (v 1.1) - Cite This Source*[Sand·wich](#)   [sand-wich, san-] Pronunciation Key - Show IPA[Pronunciation](#)[-noun](#)

a town in E Kent, in SE England; one of the Cinque Ports. 4467.

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*American Heritage Dictionary - Cite This Source*[sand·wich](#)   (sānd'wĭch, sān'-) Pronunciation Key

- a. Two or more slices of bread with a filling such as meat or cheese placed between them.
- b. A partly split long or round roll containing a filling.
- c. One slice of bread covered with a filling.
- 2. Something resembling a sandwich.

tr.v. **sand·wiched**, **sand·wich·ing**, **sand·wich·es**

- 1. To make into or as if into a sandwich.
- 2. To insert (one thing) tightly between two other things of differing character or quality
- 3. To make room or time for: *sandwiched a vacation between business trips.*

[After John Montagu, Fourth Earl of Sandwich (1718–1792), British politician.]

[Spicy Chicken Sandwich](#)  
[Sandwich Aprons](#)  
[Sandwich Tee](#)

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**Sand·wich**  (sānd'wīch', sān'-) [Pronunciation Key](#)

A municipal borough of southeast England north of Dover. One of the original Cinque Ports, it is now a resort and market center. Population: 4,227.

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**sandwich**

1762, said to be an allusion to John Montagu (1718–92), Fourth Earl *Sandwich*, who was said to be an inveterate gambler who ate slices of cold meat between bread at the gaming table during marathon sessions rather than get up for a proper meal (this account dates to 1770). It was in his honor that Cook named the Hawaiian islands (1778). The verb is from 1861. *Sandwich board* is from 1864. The family name is from the place in Kent, O.E. *Sandwicæ*, lit. "sandy harbor (or trading center)." For pronunciation, see [cabbage](#).

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**sandwich**

1. two (or more) slices of bread with a filling between them

*verb*

1. make into a sandwich
2. insert or squeeze tightly between two people or objects; "She was sandwiched in her airplane seat between two fat men"

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**sandwich** ['sænwɪdʒ, (American) -wɪtʃ] *noun*

slices of bread etc with food between  
Example: *cheese sandwiches*

*Arabic*: ساندويتش، شطيرة

*Chinese (Simplified)*: 三明治

*Chinese (Traditional)*: 三明治

*Czech*: sendvič

*Danish*: sandwich

*Dutch*: sandwich

*Estonian*: (kahe  
poolaga)  
võileib

*Finnish*: kerrosvoileipä

*French*: sandwich

*German*: das Sandwich

*Greek*: σάντουιτς

*Hungarian*: szendvics

*Icelandic*: samloka

*Indonesian*: roti tangkep

*Italian*: sandwich

*Japanese*: サンドイッチ

*Korean*: 샌드위치

*Latvian*: sendvičs;  
sviestmaize

*Lithuanian*: sumuštinis

*Norwegian*: (dobbelt)  
smørbrød

*Polish*: kanapka

*Portuguese (Brazil)*: sanduíche

*Portuguese (Portugal)*: sanduiche

*Romanian*: sandviș

*Russian*: сандвич,  
бутерброд

*Slovak*: sendvič

*Slovenian*: sendvič

*Spanish*: bocadillo,  
sándwich

*Swedish*: dubbelsmörgås,  
sandwich

*Turkish*: sandviç

**sandwich** ['sænwɪdʒ, (American) -wɪtʃ] *verb*

to place or press between two objects etc

Example: *His car was sandwiched between two lorries.*

*Arabic*: يضع شيئاً بين  
شيئين ويضغط  
عليه

*Chinese (Simplified)*: 夹在二者中  
间

*Chinese (Traditional)*: 夾在二者中  
間

*Czech*: sevřít

*Danish*: klemme ind

*Dutch*: klemmen

*Estonian*: vaheline  
pressima

*Finnish*: puristaa

*Japanese*: 間にはさむ

*Korean*: ...을 사이에  
끼우다

*Latvian*: iespiest  
(starpā);  
saplacināt

*Lithuanian*: suploti

*Norwegian*: være  
inneklemt  
mellom

*Polish*: wcisnąć  
coś  
między

<i>French</i> : serrer entre	<i>Portuguese (Portugal)</i> : comprimir
<i>German</i> : einklemmen	<i>Romanian</i> : a fi strivit
<i>Greek</i> : στριψώχνω	<i>Russian</i> : вставлять, втискивать
<i>Hungarian</i> : (köz) beékelődik	<i>Slovak</i> : vložiť (medzi dve vrstvy), vtlačiť
<i>Icelandic</i> : klemma	<i>Slovenian</i> : vriniti, stisniti (med ..)
<i>Indonesian</i> : mengapit	<i>Spanish</i> : encajonar, apretujar entre dos objetos; intercalar
<i>Italian</i> : serrare	<i>Swedish</i> : klämma emellan, vara (bli) inklämd
	<i>Turkish</i> : arasına koymak, sıkıştırmak

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**Sandwich, IL (city, FIPS 67548)** Location: 41.64658 N, 88.62308 W

Population (1990): 5567 (2158 housing units)

Area: 6.2 sq km (land), 0.0 sq km (water)

Zip code(s): 60548

**Sandwich, MA (CDP, FIPS 59700)** Location: 41.75783 N, 70.49981 W

Population (1990): 2998 (1688 housing units)

Area: 9.4 sq km (land), 0.4 sq km (water)

Zip code(s): 02563

**Center Sandwich, NH** Zip code(s): 03227

**East Sandwich, MA (CDP, FIPS 20380)** Location: 41.73835 N, 70.43457 W

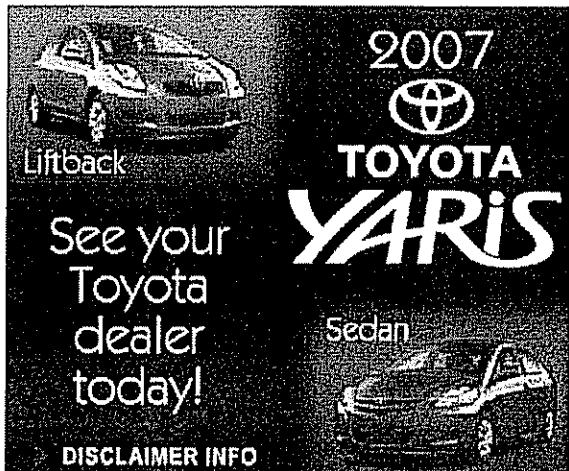
Population (1990): 3171 (1732 housing units)

Area: 19.2 sq km (land), 0.1 sq km (water)

Zip code(s): 02537

**North Sandwich, NH** Zip code(s): 03259

*U.S. Gazetteer, U.S. Census Bureau*



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## EXHIBIT C

Exhibit C

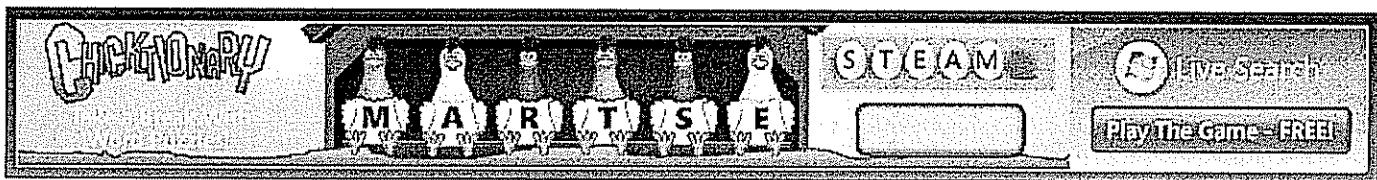


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de·vice [di-vahys] [Pronunciation Key](#) - [Show IPA Pronunciation](#)

-noun

1. a thing made for a particular purpose; an invention or contrivance, esp. a mechanical or electrical one.
2. a plan or scheme for effecting a purpose.
3. a crafty scheme; trick.
4. a particular word pattern, figure of speech, combination of word sounds, etc., used in a literary work to evoke a desired effect or arouse a desired reaction in the reader: *rhetorical devices*.
5. something elaborately or fancifully designed.
6. a representation or design used as a heraldic charge or as an emblem, badge, trademark, or the like.
7. a motto.
8. *Archaic*: devising; invention.

[Origin: 1375–1425; b. late ME *devis* division, discourse and *devise* heraldic device, will; both < AF, OF < L *divīsa*, fem. of *divīsus*, see [DIVISION](#)]

*—Related forms**de·vice·ful, adjective**de·vice·ful·ly, adverb**de·vice·ful·ness, noun*

—*Synonyms* 1. gadget. 2. project, design. 3. wile, ruse, artifice, stratagem, maneuver. 7. slogan, legend.

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de·vice  (dī-vīs') Pronunciation Key

n.

1. A contrivance or an invention serving a particular purpose, especially a machine used to perform one or more relatively simple tasks.
2.
  - a. A technique or means.
  - b. A plan or scheme, especially a malign one.
3. A literary contrivance, such as parallelism or personification, used to achieve a particular effect.
4. A decorative design, figure, or pattern, as one used in embroidery. See *Synonyms at figure*.
5. A graphic symbol or motto, especially in heraldry.
6. *Archaic* The act, state, or power of devising.

[Middle English, from Old French *devis*, *division*, *wish*, and Old French *devise*, *design*, both from Latin *divisus*, *divisa*, past participle of *dividere*, *to divide, separate*; see *divide*.]

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device

c.1290, from O.Fr. *devis* "division, separation, disposition, wish, desire," from L. *divisus*, pp. of *dividere* "to divide" (see *divide*). Sense of "method by which something is divided" arose in Fr. and led to modern meaning.

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device

*noun*

1. an instrumentality invented for a particular purpose: "the device is

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water"

2. something in an artistic work designed to achieve a particular effect
3. any clever maneuver; "he would stoop to any device to win a point"; "it was a great sales gimmick"; "a cheap promotions gimmick for greedy businessmen"
4. any ornamental pattern or design (as in embroidery)
5. an emblematic design (especially in heraldry); "he was recognized by the device on his shield"

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device

see leave to someone's own devices.

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device<sup>1</sup> [di'veɪs] *noun*

something made for a purpose, eg a tool or instrument

Example: *a device for opening cans*

*Arabic*: آلة، إدراك، جهاز

*Japanese*: 考案物

*Chinese (Simplified)*: 装置，器件

*Korean*: 도구, 장치

*Chinese (Traditional)*: 裝置，器件

*Latvian*: ierīce

*Czech*: nástroj,  
přístroj

*Lithuanian*: prietaisas

*Danish*: mekanisme;  
apparat

*Norwegian*: apparat,  
innretning,  
anordning,  
hjelperåd

*Dutch*: apparaat

*Polish*: przyrząd

*Estonian*: seadis

*Portuguese (Brazil)*: instrumento

*Finnish*: laite

*Portuguese (Portugal)*: instrumento

*French*: appareil

*Romanian*: aparat;

*German*: das Gerät

*mecanism;*

*Greek*: συσκευή

*dispositiv*

*Hungarian*: eszköz

*Russian*: приспособление

*Icelandic*: tæki,  
útbúnaður

*Slovak*: nástroj

*Indonesian*: alat

*Slovenian*: naprava

*Italian*: congegno

*Spanish*: aparato

*Swedish*: anordning,  
apparat

*Turkish*: alet, cihaz, araç

device<sup>2</sup> [di'veɪs] *noun*

a plan or system of doing something, sometimes involving trickery

Example: *This is a device for avoiding income tax.*

<i>Chinese (Simplified)</i> : 手段	<i>Korean</i> : 계획, 책략, 방법
<i>Chinese (Traditional)</i> : 手段	
<i>Czech</i> : trik, plán	<i>Latvian</i> : plāns; projekts; triks
<i>Danish</i> : plan; strategi	
<i>Dutch</i> : middel, truc	<i>Lithuanian</i> : būdas, priemonė
<i>Estonian</i> : võte	
<i>Finnish</i> : keino	<i>Norwegian</i> : påfunn, list
<i>French</i> : truc	<i>Polish</i> : sposób
<i>German</i> : der Kniff	<i>Portuguese (Brazil)</i> : expediente
<i>Greek</i> : τέχνασμα	<i>Portuguese (Portugal)</i> : processo
<i>Hungarian</i> : megoldás	<i>Romanian</i> : truc
<i>Icelandic</i> : aðferð; kænskubragð	<i>Russian</i> : способ
<i>Indonesian</i> : cara	<i>Slovak</i> : trik
<i>Italian</i> : stratagemma	<i>Slovenian</i> : sredstvo
	<i>Spanish</i> : mecanismo, truco, estratagema
	<i>Swedish</i> : påhitt, knep
	<i>Turkish</i> : düzen, hile

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**de·vice** (dē-vīs')

*n.*

A contrivance or an invention serving a particular purpose, especially a machine used to perform one or more relatively simple tasks.

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**Main Entry:** **de·vice**

**Pronunciation:** di-'vīs

**Function:** *noun*

: a piece of equipment or a mechanism designed to serve a special purpose or perform a special function

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**device**

**peripheral**

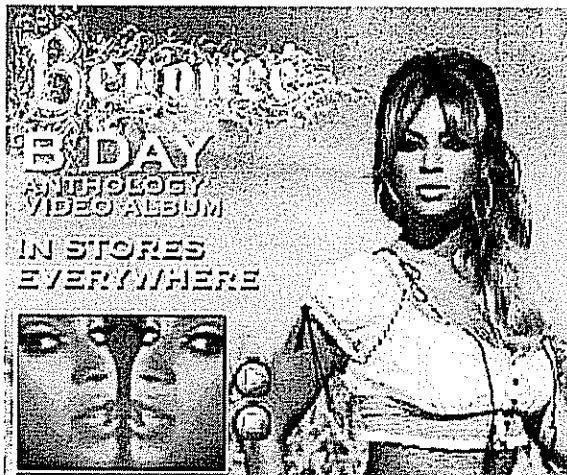
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